

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

Niaz Baig,

NO. C 09-00263 JW

Plaintiff,

**ORDER DENYING PLAINTIFF'S
REQUEST FOR ENLARGEMENT OF
TIME; DENYING PLAINTIFF'S MOTION
TO VOID FORECLOSURE**

v.

Robert K. Steel, et al.,

Defendants.

Presently before the Court are Plaintiff's Request for Enlargement of Time (hereafter, "Request to Enlarge Time," Docket Item No. 13.) and Plaintiff's Motion to Set Aside and Void Foreclosure.¹

This action was removed from the Superior Court of California for the County of Santa Clara on January 22, 2009. (See Docket Item No. 1.) On March 25, 2009, Plaintiff filed a motion for a temporary restraining order. (See Docket Item No. 9.) On March 27, 2009, the Court denied Plaintiff's motion for a temporary restraining order, but scheduled a hearing for preliminary injunction regarding the anticipated foreclosure on Plaintiff's property. (See Docket Item No.12.)

With respect to Plaintiff's Request to Enlarge Time, Plaintiff seeks some form of time extension regarding Plaintiff's Motion for Preliminary Injunction. However, Plaintiff submitted only the first page of the Request. The Request does not address which dates Plaintiff seeks to

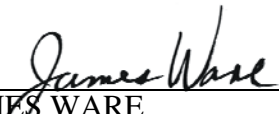
¹ (Plaintiff's Petition to Set Aside and Void Foreclosure Sale, Cancel Note and Deed of Trust, Claim in Recoupment, and Quiet Title Against all Known Defendants and for Declaratory and Injunctive Relief and Notice of Invocation of Reserved Rights, hereafter, "Motion," Docket Item No. 14.)

1 extend or the length of the requested extension. Without a specific request, the Court is unable to
2 determine whether Plaintiff's Request is appropriate.

3 With respect to Plaintiff's Motion to Set Aside the Foreclosure on his property, the Court
4 finds Plaintiff's request unintelligible. (Petition at 17.) To the extent the Court can discern
5 Plaintiff's requested relief, Plaintiff appears to seek a temporary restraining order by restating the
6 allegations of his Complaint. However, the Court had already denied this request. At best, even if
7 the Court were to construe this new motion as a motion for reconsideration of its March 27 Order,
8 the Court finds that Plaintiff has not shown new facts or law to warrant reconsideration.

9 Accordingly, the Court DENIES Plaintiff's Request for Extension of time to Serve without
10 prejudice to being renewed and DENIES Plaintiff's Motion to Set Aside and Void Foreclosure.

11
12 Dated: April 10, 2009



JAMES WARE
United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 James A. Scharf james.scharf@usdoj.gov

3 Niaz Baig
1249 Fleming Avenue
4 San Jose, CA 95127

5
6 **Dated: April 10, 2009**

Richard W. Wieking, Clerk

7
8 **By: /s/ JW Chambers**
9 **Elizabeth Garcia**
10 **Courtroom Deputy**